

BOARD MEETING MINUTES

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3
4 Open sessions of this Board Meeting were webcasted. Records of the webcasts are
5 available on the following links:

6 September 9: https://www.youtube.com/watch?v=zix_lvFWIVU
7 September 10 (part 1): <https://www.youtube.com/watch?v=D9COza-SsY8>
8 September 10 (part 2): <https://www.youtube.com/watch?v=7ooDORNHuxQ>

9
10
11 **DATE** September 9, 2021
12
13 **MEETING PLATFORM** WebEx Video Conference and Phone Conference
14
15 **TIME** 9:00 a.m.
16
17 **ATTENDEES**
18 **Members Present:** Max Disposti, Chair, Public Member
19 Christina Wong, Vice Chair, LCSW Member
20 Crystal Anthony, LCSW Member
21 Deborah Brown, Public Member
22 Susan Friedman, Public Member
23 Dr. Diana Herweck, LPCC Member
24 Christopher Jones, LEP Member
25 Jonathan Maddox, LMFT Member
26 Kelly Ranasinghe, Public Member
27 John Sovec, LMFT Member
28 Wendy Strack, Public Member
29
30 **Members Absent:** Ross Erlich, Public Member
31 Yvette Casares Willis, Public Member
32
33 Crystal Anthony, LCSW Member at 12:55 p.m.
34 Deborah Brown, Public Member at 11:00 a.m.
35 Dr. Diana Herweck, LPCC Member from 11:55 a.m.-1:12 p.m.
36 Jonathan Maddox at 1:00 p.m.
37
38 **Staff Present:** Steve Sodergren, Executive Officer
39 Gena Beaver, Enforcement Manager

1 Cynthi Burnett, Registration, Exam, Cashiering Manager
2 Rosanne Helms, Legislative Manager
3 Cassandra Kearny, Licensing Manager
4 Marlon McManus, Enforcement Manager
5 Marc Mason, Administration Manager
6 Pearl Yu, Enforcement Manager
7 Christina Kitamura, Administrative Analyst
8 Sabina Knight, Legal Counsel
9

10 **Other Attendees:** Public participation via WebEx video conference/phone
11 conference
12

13
14 **OPEN SESSION**

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16
17 **I. Call to Order and Establishment of Quorum**

18
19 Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the
20 meeting to order at 9:02 a.m. Roll was called, and a quorum was established.
21

22 **II. Public Comments for Items Not on the Agenda**

23
24 None
25

26 **III. Suggestions for Future Agenda Items**

27
28 None
29

30 **IV. Strategic Planning Session for the Board’s 2022-2026 Strategic Plan**

31
32 Board members, Board staff, stakeholders engaged in brainstorming and
33 discussion on the first draft of the proposed goals/objectives.
34

35 Sarah Irani and Elizabeth Coronel from the Department of Consumer
36 Affairs’(DCA) Strategic Organization, Leadership, and Individual Development
37 (SOLID) facilitated the strategic planning session.
38

39 An additional strategic planning session is required to continue this discussion.
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CLOSED SESSION

V. Pursuant to Section 11126(c)(3) of the Government Code, the Board Will Meet in Closed Session for Discussion and to Take Action on Disciplinary Matters.

The Board met in closed session at 1:05 p.m.

VI. Recess Until 9:00 a.m., Friday, September 10, 2021

The Board recessed following the conclusion of the Closed Session at 1:25 p.m.

1 **DATE** September 10, 2021
2
3 **MEETING PLATFORM** WebEx Video Conference and Phone Conference
4
5 **TIME** 9:00 a.m.
6
7 **ATTENDEES**
8 **Members Present:** Max Disposti, Chair, Public Member
9 Christina Wong, Vice Chair, LCSW Member
10 Deborah Brown, Public Member
11 Ross Erlich, Public Member
12 Susan Friedman, Public Member
13 Dr. Diana Herweck, LPCC Member
14 Kelly Ranasinghe, Public Member
15 Wendy Strack, Public Member
16 Yvette Casares Willis, Public Member
17
18 **Members Absent:** Crystal Anthony, LCSW Member
19 Christopher Jones, LEP Member
20 Jonathan Maddox, LMFT Member
21 John Sovec, LMFT Member
22
23 **Staff Present:** Steve Sodergren, Executive Officer
24 Rosanne Helms, Legislative Manager
25 Christy Berger, Regulatory Analyst
26 Christina Kitamura, Administrative Analyst
27 Sabina Knight, Legal Counsel
28
29 **Other Attendees:** Brianna Miller, DCA, Office of Board and Bureau Services
30 Rabih Dow, Director of Outreach and Advocacy, Guide Dogs
31 for the Blind
32 Wallis Brozman, Communications Coordinator, Canine
33 Companions
34 Public participation via WebEx video conference/phone
35 conference
36

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2 OPEN SESSION

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5 *Items taken out-of-order: Item XVI was heard after Item XI.*

6

7 VII. Call to Order, Establishment of Quorum, and Introductions

8

9 Meeting called to order at 9:01 a.m. Roll was called, and a quorum was
10 established.

11

12 VIII. Consent Calendar

- 13 a. Possible Approval of the May 6-7, 2021 Board Meeting Minutes
14 b. Possible Approval of the July 7, 2021 Board Meeting Minutes
15 c. Possible Approval of the July 22, 2021 Board Meeting Minutes
16 d. Possible Approval of the August 10, 2021 Board Meeting Minutes
- 17

18 Approval of July 7, 2021 Board Meeting minutes was tabled.

19

20 **MOTION:** Approve the May 6-7, 2021 Board meeting minutes, July 22, 2021
21 Board meeting minutes, and August 10, 2021 Board meeting minutes.

22

23 Brown moved. Wong seconded.

24

25 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown	x				
Yvette Casares Willis	x				
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones				x	
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec				x	
Wendy Strack	x				
Christina Wong	x				

26 The motion carried: 9 yea, 0 nay.

27

28

1 **IX. Board Chair Report**

2
3 Kelly Ranasinghe and Yvette Casares Willis were confirmed by the Senate on
4 August 26, 2021.

5
6 **X. Department of Consumer Affairs Update**

7
8 Brianna Miller, Office of Board and Bureau Services provided the department
9 update.

10
11 Remote Meetings

12 After September 13th, all boards and committees will be required to return to in-
13 person meetings with publicly noticed meeting locations. However, due to
14 ongoing changes in the COVID-19 pandemic, there is legislation pending that
15 would extend the ability to meet remotely until at least January 31, 2022.

16
17 COVID-19 Safety Measures

18 State employees must show proof of vaccination, or they will be subject to
19 regular testing and will be required to wear appropriate personal protective
20 equipment. Board members are considered employees and must follow these
21 protocols.

22
23 **XI. Executive Officer Report**

24
25 **a. Budget Report**

26
27 2020/2021 Budget: 4th Quarter

28 The Board's budget for fiscal year (FY) 2020-21 is \$12,096,000. The Board
29 expended \$10,220,180 (84%) of its budget.

30
31 Fund Condition

32 The Board's fund condition reflects a reserve of 6.8 months.

33
34 Yearly Department Pro Rata/Distributed Costs

35 The Board's pro rata budget total is \$2,701,000 (22% of overall budget).

- 36
- 37 • Administrative & Information Services Division: \$2,363,000
 - 38 • Communications Division: \$66,000
 - 39 • Division of Program & Policy Review: \$225,000
 - 40 • Special Operations Unit: \$33,000
 - 41 • Investigation & Enforcement Unit: \$14,000

42 **b. Licensing Report**

43
44 **BOARD STATISTICS: 4th Quarter of FY 2020/2021**

45 Licensing Population

- 1,694 initial licenses were issued
- 125,928 licensees and registrants as of August 10, 2021 (< 3% gain) from the previous quarter

Licensing Program Processing Times

Processing times have increased due to seasonal increase of applications.

The Board received 1,110 applications in December 2020. Historically, the average monthly intake has been 250 applications.

Renewal Activity

Renewal activity increased by 8%.

Enforcement Program

- 385 consumer complaints received
- 265 criminal conviction notifications received
- 514 cases closed
- 15 cases referred to the Attorney General's (AG) office for formal discipline
- 61 cases pending at the AG's office as of September 30th
- 10 accusations and 2 Statement of Issues filed
- 8 final citations issued
- 53 final disciplinary orders
- 418 average number of days to complete Formal Discipline
- 327 average number of days a case is with the AG's office
- 31 average number of days to complete all Board investigations

Continuing Education Audits

Audits were suspended temporarily during FY 2020-21. Board staff have begun auditing licensees who renewed in January and February 2021.

COVID-19 RESPONSE

Waivers

- **Law & Ethics Exam Waiver for Subsequent Registration Number:** Waives the requirement that Associate Marriage and Family Therapists (AMFTs), Associate Clinical Social Workers (ASWs), and Associate Professional Clinical Counselors (APCCs) must pass the California Law and Ethics Examination before a subsequent registration number is issued; applies to all associates who are in their last year of renewal if that renewal expires between September 2021 and October 31, 2021.
- **Face-to-Face Training and Supervision Requirements:** This waiver expires on October 31, 2021.
- **Waiver Extending Eligibility Period to Retake Examinations for Marriage and Family Therapist, Educational Psychologist, Clinical**

1 **Social Worker, and Professional Clinical Counselor Applicants:**

2 Extends exam eligibility for LMFT, LEP, LCSW, and LPCC applicants
3 that failed to take or retake a required examination, and whose one-year
4 eligibility to take or re-take the examination expired between March 31,
5 2020 and September 30, 2021.

6 • **Practicum Enrollment Requirement Waiver for MFT Trainees:**

7 Extends the lapsed enrollment period from 90 days to 180 days; applies
8 to trainees who were last enrolled in a practicum course between March
9 31, 2020 and December 31, 2020.

10 • **Licensing Renewal Requirements:** Registrants whose registrations
11 expire between March 31, 2020 and September 30, 2021 do not need to
12 attempt the California Law and Ethics Examination in order to renew
13 their registration. Licensees who are renewing between March 31, 2020
14 and September 30, 2021 do not need to complete continuing education
15 in order to renew their license.

16 • **Waiver of Laws Requiring Individuals Reactivating or Restoring a
17 Retired, Inactive, or Cancelled License to Complete Continuing
18 Education and Pay a Renewal or Delinquency Fee:** Permits an
19 individual with a retired, inactive, or cancelled license who wishes to
20 restore their license in order to help with the current State of Emergency
21 to do so during this time without being subject to the normally required
22 continuing education requirements and renewal and delinquency fees;
23 applies to individuals whose license has been retired, inactive, or
24 cancelled for no more than 5 years. A license reactivated or restored
25 pursuant to these waivers is valid until November 1, 2021 or when the
26 State of Emergency ceases to exist.

27
28 **c. Exam Report**

29
30 Exam Pass Rates 4th Quarter of FY 2020-21

31 4,980 examinations were administered, a 17.8% increase from the previous
32 quarter.

33
34 Examination Development

35 Four exam development workshops were conducted from April 1st to June
36 30th.

37
38 Association of Marriage & Family Therapy Regulatory Boards (AMFTRB)
39 National Examination

40 The DCA Office of Professional Examination Service (OPES) has begun
41 working with the Association of Marital and Family Therapy Regulatory
42 Board (AMFTRB) in collecting information that will assist them in the review
43 of the AMFTRB Clinical Exam. The evaluation and report will be completed
44 in the spring of 2022.
45

1 OPES has also begun working with the Association of Social Worker
2 Boards (ASWB) for their periodic review of the ASWB Clinical exam.

3
4 **d. Communication Report**

5
6 Social media statistics were presented.

7
8 DCA Call Center

9 The call center handled 5,358 calls between May and July.

10
11 Outreach

12 Board staff engaged in 11 outreach events via telephone or video
13 conference: association and committee meetings, MFT consortium
14 meetings, and licensing process law & ethics presentations.

15
16 **e. Personnel Report**

17
18 **New Employees/Promotions**

19 Discipline & Probation Unit

- 20 • Gena Beaver promoted to Staff Services Manager I.
21 • Yee Lee promoted to Associate Governmental Program Analyst (AGPA).

22
23 Consumer Complaint & Investigations Unit

24 Syreeta Hurt and Alexander Juarez promoted to AGPAs.

25
26 Registration, Examination & Cashiering Unit

- 27 • Ellen Viegas is returning to the Board as an AGPA on September 13th.
28 • Roman Mikhalchuk will transfer to the Board as a Staff Services Analyst
29 (SSA) on September 13th.

30
31 Licensing Unit

- 32 • Christopher Catalano and Leontyne Lyles promoted to SSAs.
33 • Anthony Beasley returned to the Board as an SSA.
34 • Hayley Sutter will transfer to the Board as an SSA on September 24th.

35
36 **Vacancies**

37 Currently, there are 7 vacancies:

- 38 • Assistant Executive Officer – Administration Unit
39 • AGPA - Discipline & Probation Unit/Enforcement
40 • SSA – Criminal Conviction Unit
41 • Management Services Technician (MST) – Licensing Unit (2 vacancies)
42 • MST – Registration, Examination & Cashiering Unit
43 • Office Technician – Administration Unit
44

1 **f. Strategic Plan Update**

2
3 The Board met on September 9th and discussed goals and objectives.
4 Board staff and stakeholders participated in the discussions.

5
6 **XII. Telehealth Committee Update**

7
8 The Telehealth Committee (Committee) met on August 6th. The following topics
9 were discussed:

- 10
- 11 • Potential telehealth coursework requirement,
 - 12 • Clarifying the Board’s telehealth statutes for associates and trainees.

13 The Committee conducted four surveys regarding practice of telehealth,
14 telehealth coursework, and supervision via videoconferencing. A separate
15 survey was sent to students, associates, supervisors, and school programs.
16 The Committee discussed the survey results.

17
18 The next meeting is October 1st.

19
20 **XIII. Licensing Committee Update**

21
22 The Licensing Committee (Committee) met on June 25th.

23
24 The Committee made a recommendation regarding the required 12-hour
25 California law and ethics course for renewing registrants with a failing law and
26 ethics exam score. The resulting proposal, which is to delete that requirement
27 and instead require a 3-hour California law and ethics course for all registrants
28 each renewal cycle, was considered by the Policy and Advocacy Committee.
29 The proposal will be considered by the Board.

30
31 The next meeting is October 15th.

32
33 **XIV. Discussion and Possible Action Regarding Policy and Advocacy**
34 **Committee Recommendation: Three-Hour California Law and Ethics**
35 **Continuing Education Course Requirement for all Associates Each**
36 **Renewal Cycle (BPC §§4980.399, 4980.54, 4984.01, 4992.09, 4996.22,**
37 **4996.28, 4999.55, 4999.76, 4999.100)**

38
39 Since the examination restructure became effective in 2016 and the 12-hour
40 law and ethics (L&E) course became a requirement, completion of the course
41 has been problematic for registrants.

42
43 The Licensing Committee directed staff to draft language deleting the 12-hour
44 California L&E course requirement, and to instead require all registrants to
45 complete a 3-hour California law and ethics course in each renewal cycle.
46

1 Issues with the 12-Hour Law and Ethics Course

2 The timing and need to take the 12-hour law and ethics course after renewing,
3 if the L&E exam was failed in the prior renewal period, can be problematic for
4 the following reasons:

- 5
- 6 • There is confusion as to when to take the course.
 - 7
 - 8 • Some registrants do not take the course (they do not realize they need to
9 take the course). Registrants are not able to retake the exam until they
10 complete the course, which may delay the registrant's renewal.
 - 11
 - 12 • The additional cost of taking the course.
 - 13

14 The Committee agreed that public protection may be better served by requiring
15 all registrants to take a 3-hour continuing education course in California law and
16 ethics.

17

18 Policy and Advocacy Committee Recommendation

19 The Policy and Advocacy Committee discussed the proposed language
20 presented at its August 2021 meeting. Two discussions were held:

- 21
- 22 1. Delayed implementation. The Committee determined that proper advance
23 outreach would be needed, but delayed implementation was not necessary.
 - 24 2. Concerns regarding costs for associates. Some stakeholders questioned
25 whether requiring the 3-hour course would place a cost burden on
26 associates.

27

28 Staff researched costs for CE courses and presented the following
29 information:

- 30
- 31 • Several CE providers offer a 6-hour law and ethics course. Costs for the
32 6-hour course ranged from \$36 - \$145.
 - 33 • Several CE providers currently offer 3-hour courses covering topics
34 related to law and ethics. Costs for the 3-hour courses ranged from
35 \$21-\$39.
 - 36 • Some stakeholders stated that certain CE providers, as well as some
37 employers, offer free law and ethics CE courses.

38 Comments

39 Rebecca Gonzales, National Association of Social Workers California Chapter
40 (NASW-CA): Concerned with costs coupled with recent fee increases.

41

42 Ben Caldwell: Expressed support. Recognizes the financial burden on
43 associates. Offers a 1-hour ethics course at no cost. Calls for a community
44 effort in making sure that the burdened is minimized.

1 Jennifer Alley, California Association of Marriage and Family Therapists
2 (CAMFT): Concerned about additional requirements and costs associated with
3 those requirements.
4

5 Leah Brew: Expressed the importance of this. Offers a free 3-hour course to
6 her students. If she needs to charge to pay for costs of running a webpage, the
7 cost could be very minimal.
8

9 **MOTION:** Direct staff to make any discussed changes and any non-
10 substantive changes and pursue as a legislative proposal.
11

12 Wong moved. Strack seconded.
13

14 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown	x				
Yvette Casares Willis	x				
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones				x	
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec				x	
Wendy Strack	x				
Christina Wong	x				

15 The motion carried: 9 yea, 0 nay.
16

17
18 **XV. Discussion and Possible Recommendation Regarding Assembly Bill 107**
19 **(Salas) Licensure: Veterans and Military Spouses**
20

21 *AB 107 is on the Governor's desk awaiting a decision.*
22

23 AB 107 would require all boards within DCA to issue temporary licenses to
24 military spouses if they meet specified requirements.
25

26 AB 107 does the following:

- 27 1. Effective July 1, 2023, requires all boards under DCA to issue a temporary
28 license to practice a profession or vocation to an applicant if they meet
29 specified requirements.
30

- 1 2. Permits a DCA board to conduct an investigation of an applicant, including
2 a criminal background check, for purposes of denying or revoking a
3 temporary license.
4
5 3. Requires a DCA board to issue the temporary license within 30 days of
6 receiving documentation.
7
8 4. Requires that a temporary license is nonrenewable and expires 12 months
9 after issuance, or upon issuance or denial of an expedited license, a
10 standard license, or a license by endorsement, whichever occurs first.
11

12 Current Board Process

13 The Board has a “licensure by credential” pathway to licensure, a process for
14 qualifying licensees in other states who have been licensed for at least two
15 years.
16

17 The Board is currently required to expedite the licensing process for an
18 applicant who is married to or in a domestic partnership with an active member
19 of the U.S. military assigned to duty in California, if the applicant holds a current
20 license in the same profession in another state.
21

22 Bypassing the Licensure Process

23 AB 107 does not require the following:

- 24 • That the licensing requirements in the other state in which the person holds
25 a license be substantially equivalent to the requirements in California; or
26 • That the applicant passes the required Board administered examinations.
27

28 Continuity of Care

29 A practitioner whose temporary license expires could disrupt the continuity of
30 care for patients.
31

32 Staffing and BreEZe Impact

33 An update to BreEZe would be required to implement a temporary license
34 status, which could result in a fiscal impact. Additional staff would be required
35 to address the increased workload.
36

37 License Portability and the Board of Behavioral Sciences

38 The Board recently implemented license portability legislation for its LMFT,
39 LCSW, and LPCC applicants. SB 679 became effective on January 1, 2020
40 and established “licensure by credential.”
41

42 AB 107 makes key omissions of requirements that were considered and placed
43 in SB 679:
44

- It does not require the military applicant to have held their current license for at least the past 2 years to obtain a temporary license.
- It does not require any California-specific coursework prior to beginning practice under a temporary license.

Previous Board Position

At its May 2021 and July 2021 meetings, the Board took an “oppose unless amended” position on AB 107 and requested that the Board be removed from the provisions of the bill. AB 107 was amended since the July Board meeting, but the Board has not been removed from the provisions of the bill.

MOTION: Oppose AB 107.

Wong moved. Disposti seconded.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown	x				
Yvette Casares Willis	x				
Max Disposti	x				
Ross Erlich	x				
Susan Friedman		x			
Dr. Diana Herweck	x				
Christopher Jones				x	
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec				x	
Wendy Strack	x				
Christina Wong	x				

The motion carried: 8 yea, 1 nay.

XVI. Discussion and Possible Recommendation Regarding Assembly Bill 468 (Friedman) Emotional Support Animals

AB 468 would require a health care practitioner who provides documentation about an individual’s need for an emotional support animal to comply with specified requirements.

The pieces of AB 468 that affect Board licensees:

1. Defines a “health care practitioner” which includes BBS licensees.

- 1 2. Prohibits a health care practitioner from providing documentation relating to
2 an individual's need for an emotional support dog unless they comply with
3 specified criteria:
- 4 a. Have a valid, active license, and includes the license's effective date,
5 license number, jurisdiction, and type of professional license in the
6 documentation;
 - 7 b. Is licensed to provide professional services within the scope of the
8 license in the jurisdiction in which the documentation is provided;
 - 9 c. Has established a client-provider relationship with the individual for at
10 least 30 days before providing the documentation regarding the
11 individual's need for an emotional support dog;
 - 12 d. Completes a clinical evaluation of the individual regarding the need for
13 an emotional support dog; and
 - 14 e. Provides verbal/written notice to the individual that knowingly and
15 fraudulently representing oneself to be the owner/trainer of any canine
16 licensed, qualified, or identified as a guide, signal, or service dog is a
17 misdemeanor violation.
- 18
- 19 3. States that if a health care practitioner violates any of the listed provisions,
20 they may be subject to discipline from their licensing board.
- 21

22 Additionally, AB 468 states that a person knowingly and fraudulently
23 representing, selling, offering for sale, or attempting to represent, sell, or offer
24 for sale an emotional support dog as being entitled to the rights and privileges
25 accorded by law to a guide, signal, or service dog, or violating the written notice
26 requirements, is subject to civil penalties by the Attorney General, a district
27 attorney, a county counsel, or a city attorney.

28

29 Intent

30 To curtail the misrepresentation of buying and selling emotional support dogs
31 and their identifying equipment as having equal access rights as trained service
32 dogs; and create safer public spaces, especially for people with disabilities who
33 rely on task-trained service dogs for independence.

34

35 Complaints Received by the Board

36 The Board occasionally receives complaints regarding licensees providing
37 emotional support dog certifications. Some of the clarifications offered by the
38 draft amendments in the proposal would be helpful.

39

40 Presentation

41 The sponsors of AB 468 presented the intent and details of the bill to the Board:
42 Rabih Dow, Director of Outreach and Advocacy, Guide Dogs for the Blind, and
43 Wallis Brozman, Communications Coordinator, Canine Companions.

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MOTION: Approve AB 468.

Disposti moved. Wong seconded.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown	x				
Yvette Casares Willis	x				
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones				x	
Jonathan Maddox				x	
Kelly Ranasinghe		x			
John Sovec				x	
Wendy Strack	x				
Christina Wong	x				

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8

The motion carried: 8 yea, 1 nay.

9

XVII. Discussion and Possible Action on Additional Amendments to Continuing Education Rulemaking Proposal: Title 16, California Code of Regulations: Add Section 1810.5; Amend Sections 1807, 1807.2, 1810, 1887, 1887.1, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3 and 1887.11.0; Repeal Sections 1810.1, 1810.2, 1887.4, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11 and 1887.15

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At its November 2019 meeting, the Board approved changes to regulations pertaining to continuing education (CE) and additional training requirements. In response to feedback from attorneys in DCA’s Regulation Unit and Board staff, additional text changes were brought to the Board for consideration. Most of these text changes provides more clarity.

22

The Board was asked to consider the following:

23
24
25
26

- Should the list of acceptable “additional training” providers be further condensed simply into “board-accepted CE providers”?
- Should government departments of health and mental health remain on the list?
- Should licensed health facilities be added back onto the list?

27
28
29
30

Ranasinghe: Governmental agencies should remain on the list.

1 Wong: Prefers to keep the language tightened and not allow too many
2 exceptions and allow the approval agencies to approve those providers.

3
4 Disposti: Prefers simplifying text that eliminates confusion.

5
6 **MOTION:** Approve the proposed text as modified in section 1810.5 to strike
7 subsection (b)(4) and initiate a 45-day public comment period. Additionally, if no
8 adverse comments are received during the public comment period, or if any
9 adverse comments received are irrelevant to the regulation text, delegate to the
10 Executive Officer the authority to make any technical or non-substantive
11 changes that may be required in completing the rulemaking file.

12
13 Wong moved. Willis seconded.

14
15 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown	x				
Yvette Casares Willis	x				
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones				x	
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec				x	
Wendy Strack	x				
Christina Wong	x				

16
17 The motion carried: 9 yea, 0 nay.

18
19 **XVIII. Update on Board-Sponsored and Monitored Legislation**

20
21 **Board-Sponsored Legislation**

22
23 AB 690 Practice Setting Definitions

24 Status: Enrolled

25
26 SB 801 Board Sunset Bill/LMFT Scope of Practice/Omnibus Bill

27 Status: Enrolled

28
29 **Board-Supported Legislation**

30
31 AB 462 Licensed Professional Clinical Counselor Act

32 Status: Enrolled

1 **Board-Monitored Legislation**

2
3 AB 107 Licensure: Veterans and Military Spouses

4 Status: Enrolled

5
6 AB 468 Emotional Support Animals

7 Status: Enrolled

8
9 **XIX. Update on Board Rulemaking Proposals**

10
11 Enforcement Process

12 Status: Pending

13
14 This regulation package was placed on hold due to the passage of AB 2138.
15 AB 2138 was approved in December 2020, so this proposal is able to move
16 forward again. Staff will be re-evaluating the previously proposed language
17 and determining if additional amendments are needed. The proposal will be
18 brought to the Board for review later this year.

19
20 Supervision-Related Requirements

21 Status: At Office of Administrative Law for final review.

22
23 Continuing Education and Additional Training Requirements

24 Status: Board approved proposed language changes today and will initiate a
25 45-day public comment period.

26
27 Examination Waiting Periods, Professional Corporations, Accrediting Agencies
28 and Equivalent Degrees

29 Status: Preparation for initial review process.

30
31 **XX. Discussion Regarding 2022 Board Meeting Dates**

32
33 The following dates are proposed for 2022 Board meetings:

- 34
- 35 • February 10 & 11
 - 36 • May 5 & 6
 - 37 • August 11 & 12
 - 38 • November 3 & 4

39 **XXI. Public Comment for Items Not on the Agenda**

40
41 J. Alley, CAMFT: Requests the following discussions in a future Board or
42 committee meeting: 1) Flexibility for associates, students and trainees that
43 have disabilities and mobility issues and to ensure that there is a process in
44 place for them to submit a waiver to be reviewed by the Board on a case-by-
45 case basis. 2) Life coaches and consumer protections to ensure that those
46 individuals are not providing behavioral health services.

1 R. Gonzales, NASW-CA: Accommodations for those who have disabilities.

2
3 **XXII. Suggestions for Future Agenda Item**

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5 Ranasinghe: 1) Mobility issues; 2) regulations regarding life coaches.

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7 Brown: Update on SB 14.

8
9 Friedman: Discuss ideas or suggestions to assist elderly who have difficulty
10 with technology and providing services via telehealth.

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12 **XXIII. Adjournment**

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14 The Board adjourned at 1:15 p.m.